

I-5 HOV Lane Extension Project Between Avenida Pico and San Juan Creek Road

ORANGE COUNTY, CALIFORNIA
DISTRICT 12-ORA-5, PM 3.0/8.7
EA 0F9600

Initial Study with Proposed Mitigated Negative Declaration/ Environmental Assessment



**Prepared by the
State of California Department of Transportation**

The environmental review, consultation, and any other action required in accordance with applicable Federal laws for this project is being, or has been, carried out by the State of California Department of Transportation under its assumption of responsibility pursuant to 23 U.S.C. 327.



January 2011

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General Information about This Document

What's In This Document:

The California Department of Transportation (Department), as assigned by the Federal Highway Administration (FHWA), has prepared this Initial Study/Environmental Assessment (IS/EA), which examines the potential environmental impacts of the alternatives being considered for the proposed project located in Orange County, California. The document tells you why the project is being proposed, what alternatives we have considered for the project, how the existing environment could be affected by the project, the potential impacts of each of the alternatives, and the proposed avoidance, minimization, and/or mitigation measures.

What You Should Do:

- Please read the document.
- Additional copies of it, as well as the technical studies we relied on in preparing the document, are available for review at Caltrans District 12, 3347 Michelson Dr., Suite 100, Irvine, CA 92612-1692, and

Dana Point Library 33841 Niguel Road Dana Point, CA 92629	San Clemente Library 242 Avenida Del Mar San Clemente, CA 92672	San Juan Capistrano Library 31495 El Camino Real San Juan Capistrano, CA 92675
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- Attend the public meeting. January 31, 2011
- We'd like to hear what you think. If you have any comments regarding the proposed project, please attend the public meeting, and/or send your written comments to the Department by February 12, 2011.

Submit comments via postal mail to:

Environmental Branch Chief, Attention: Scott Shelley
Department of Transportation, Environmental Planning

3347 Michelson Dr., Suite 100, Irvine, CA 92612-1692. Submit comments via email to: Scott Shelley at scott_shelley@dot.ca.gov.

- Be sure to submit comments by the deadline: February 12, 2011

What Happens Next:

After comments are received from the public and reviewing agencies, the Department, as assigned by the Federal Highway Administration, may: (1) give environmental approval to the proposed project, (2) do additional environmental studies, or (3) abandon the project. If the project is given environmental approval and funding is appropriated, the Department could design and construct all or part of the project.

For individuals with sensory disabilities, this document can be made available in Braille, in large print, on audiocassette, or on computer disk. To obtain a copy in one of these alternate formats, please call or write to:

Department of Transportation, Attn: Scott Shelley, Environmental Planning, Caltrans District 12, 3347 Michelson Dr., Suite 100, Irvine, CA 92612-1692; (949) 724-2705 Voice; or use the California Relay Service 1 (800) 735-2929 (TTY-English), 1 (800) 855-3000 (TTY-Spanish), 1 (800) 735-2922 (voice-English), 1 (800) 855-3000 (voice-Spanish), or 711.

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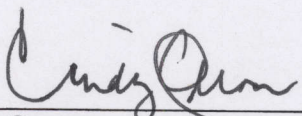
Widen Interstate 5, add one HOV lane in each direction, reestablish and construct auxiliary lanes, between Avenida Pico and San Juan Creek Road, (PM 3.0 to 8.7) in the Cities of San Clemente, Dana Point, and San Juan Capistrano, in Orange County, California

INITIAL STUDY with Proposed Mitigated Negative Declaration/Environmental Assessment

Submitted Pursuant to: (State) Division 13, California Public Resources Code
(Federal) 42 USC 4332(2)(C) and 49 USC 303

THE STATE OF CALIFORNIA
Department of Transportation and
Orange County Transportation Authority

1-11-11
Date of Approval


Cindy Quon
District Director
California Department of Transportation
District 12

PROPOSED MITIGATED NEGATIVE DECLARATION

Pursuant to: Division 13, Public Resources Code

Project Description

The California Department of Transportation (the Department) in cooperation with the Orange County Transportation Authority (OCTA) proposes to widen Interstate 5, add one HOV lane in each direction, and reestablish and construct auxiliary lanes between Avenida Pico and San Juan Creek Road (PM 3.0/8.7) in the Cities of San Clemente, Dana Point and San Juan Capistrano, in Orange County, California.

Determination

This proposed Mitigated Negative Declaration (MND) is included to give notice to interested agencies and the public that it is the Department's intent to adopt an MND for this project. This does not mean that the Department's decision regarding the project is final. This MND is subject to modification based on comments received by interested agencies and the public.

The Department has prepared an Initial Study for this project, and pending public review, expects to determine from this study that the proposed project would not have a significant effect on the environment for the following reasons:

The proposed project would have no effect on agriculture and forest resources, mineral resources, population and housing, land use and planning, and recreation.

In addition, the proposed project would have no significant effect on aesthetics, air quality, geology and soils, hazards and hazardous materials, hydrology and water quality, noise, public services, transportation/traffic, and utilities and service systems.

The proposed project would have no significant adverse effect on cultural resources because the following mitigation measures would reduce potential effects to insignificance:

- PAL-1** Prior to construction activities, the California Department of Transportation (Department) shall ensure that a Paleontological Mitigation Plan (PMP) is prepared and adhered to during construction of the project portions that are identified as having high paleontological sensitivity. The PMP shall include, but not be limited to, the following types of activities: preconstruction field surveys; attendance at pregrade meetings by a qualified paleontologist; a qualified paleontologic monitor shall initially be present on a full-time basis whenever

excavation will occur within the sediments that have a high paleontological sensitivity rating and on a spot-check basis for sediments that have a low sensitivity rating; localized concentrations of small (or micro-) vertebrates shall be occasionally spot-screened on site and if microfossils are encountered, sediment samples shall be collected and processed to recover additional fossils; any recovered specimens shall be prepared to the point of identification and permanent preservation; specimens shall be identified to the lowest taxonomic level possible and curated into an institutional repository with retrievable storage; and the Department shall ensure preparation and submittal of a Paleontological Mitigation Report (PMR) documenting completion of the PMP.

The proposed project would have no significant adverse effect on biological resources because the following mitigation measures would reduce potential effects to insignificance:

- BIO-7** For CSS occupied by CAGN or in CAGN-designated critical habitat, the mitigation ratio consistent with the USFWS standards. Compensatory mitigation may include off-site acquisition of conservation lands and restoration efforts to enhance or create CSS which could be accomplished through participation in the Natural Community Conservation Plan/Habitat Conservation Plan/Master Streambed Alteration Agreement (NCCP/HCP/MSAA) being established by Measure M2. Options for compensatory mitigation will be evaluated through coordination among the Orange County Transportation Authority (OCTA), the California Department of Transportation (Department), and the resource agencies.
- BIO-8** If required, compensatory mitigation will be provided at a mitigation-to-effect ratio consistent with the ACOE and CDFG policies for no net loss of riparian/riverine habitat (e.g., wetlands) standards. This mitigation could be accomplished through participation in the NCCP/HCP/MSAA being established by Measure M2.

Cindy Quon
District Director
California Department of Transportation
District 12

Date